1890-027 Chancery Causes: E. W. Pennington vs. Minerva Sams &c
Lee Co

CH - Debt
T - Property

To the Hon. H.S.K. Morison Judge of the Circuit Court for Ru County, Va.

Humbly complaining your orator, E.W. Pennington, would respectfully represent unto your honor that on the 3rd day of March, 1889, before H. C. Joslyn a justice of said county obtained a judgment upon a note waiving the benefit of the Homestead law against one Minerva and Dave Sams for $18.25 with legal interest thereon from the 1st day of July, 1887 till paid and $1.00 costs. On the said Judgment an execution was issued and returned "no property found". Your orator hereunto files said Judgment, execution and return marked "A." Your orator on the 6th day of March, 1888, had duly docketed in the judgment lien docket in the County court of said county his judgment.

Your orator would further show your orator as the amount of the judgment was less than $20 exclusive of costs and interest he has given the said Minerva 60 days notice that unless said Judgment, interest thereon and costs were paid he would institute

his suit for the enforcement of his judgment lien. See Exhibit "B"

Your orator alleges that said judgment, & cost has not been paid to him, ~~but~~ and that the same is still due him.

Your orator is advised that said judgment is a lien upon upon any real estate which said parties or either of them may own, and that your orator is entitled to have the same enforced in a Court of Equity.

Your orator would further show that the said Minerva is the owner in fee of a small parcel of land situate in Lee County some four miles east of Jonesville and to which she has a deed which is here filed And marked "B" and which will give a more particular description of her land. This is the only land that she owns. The said Dow Sams is totally insolvent. Your orator charges that said land has no appricable ~~and~~ rental value ~~long~~ and would not rent for an amount sufficient to

pay the said judgment & the costs of this suit in five years. Its only value is its cedar timber.

Now the object of this bill is to have enforced your orators judgment lien against said lands. And to that end he prays that Minerva Sams and Dan Sams be made parties defendants to this bill of complaint and they be each required to answer on oath fully and completely the allegations of this bill; that a decree be pronounced herein enforcing said lien by a sale of said lands. And for all other & general relief may be granted your orator as the nature of his cause may seem meet & just. And he will ever pray &c. May Sha issue &c.

E. W. Cunningham pltff.

(E.W.P.)

E. W. Pennington

vs } Bill de Chaux

Minerva Sauns Et als

1859 Pet. Reg. Order Spec
Eqd. on Pet. Minerva
Sauns & D. Pierce
to her.

" 2nd Aug. D.th. Confd
& Cause Set for hearing

" Decr. Decree & Contd.

1860 Mar. Decree
Final

A. $15 00 Pd
S. 1 00 Pd
Ser. 7.41 Pd 7.50
C.C. 50

$23.91
1 10
$25.41

to $17

E. W. Pennington complt.
vs.
Minerva Lowe et al Defts.
} In Chancery.

This cause comes on again to be heard upon the papers formerly read in the cause and the report of Comr. Pennington filed therein on Jan. 3rd, 1870, and said report being unexcepted to the same is hereby confirmed, and the deed therewith filed is directed to be delivered to said Snively. And said Wm. R. Snively is ordered and directed to pay said Comr. the sum of $5.00 for making said deed. And this cause is stricken from the docket.

E. W. Pennington

vs } Trespass

Minna Sam

Entered Chey
O. S. page 245,
April 1st 1890
J. A. S. Hyatt c

Entered this
H. S. K. M.
April 1st 1890

E. W. Pennington Pltff
vs } In Chan.
Minerva Sanno et al

This cause came on again this day to be heard upon the papers formerly read in the cause and the report of Comr. Pennington filed on the 11th day of Nov. 1889. On consideration of all which and ~~for~~ it appearing that said report is unexcepted to, it is adjudged, ordered and decreed that said report and sale be confirmed. And it is further adjudged ordered and decreed that H. R. Snavely the purchaser of said land be awarded a writ of possession. And it is further adjudged ordered and decreed that E. W. Pennington be appointed a commissioner to convey title to said land to said purchaser. And this cause is continued

E. W. Pennington

vs } Decree No 2

Minnow Sams

Entered Ofrey O.B.
page 233.
Dec. 3 - 1889.
J. A. Wyatt

Entered this
Dec 3 1889.
H. L. K. M.

E. W. Pennington Complt.
vs
Minerva Sams et als Defts } In Chan

This cause came on this day to be heard upon the bill of the Complt and exhibits filed therewith. And it appearing unto the court that the Deft, Minerva Sams, has been summoned according to law for a period of more than 15 days before the sitting of this court, and she failing to appear and answer, the court doth take his said bill for confessed as to that defendant. On consideration whereof and for reasons appearing unto the court, the court doth adjudge, order and decree that the plaintiff in this cause doth recover from the said Minerva the sum of $19.25 with legal interest on $16.25 from the 1st day of July, 1887, till the same is paid and his costs in this suit; and it is further adjudged, ordered and decreed that if the said deft, or some one for her does not pay the said Complt the said $19.25 and its interest and the cost of this suit within 20 days from the rising of this court, then E. W. Pennington who is hereby appointed a special comr, for the purpose will proceed to sell the land in the bill and proceedings mentioned, at the front door

of the court house of Lee County, at public outcry and to the higest bidder and on a credit of three months except enough to pay the costs in this suit which he will require to be paid down. If said land brings at a sale more than enough to pay said debt and the costs of this suit, said Comr. will collect and pay the same over to the said deft. when due.

But before executing this order said Comr. will execute bond before the Clerk of this court in the penality of $100 on conditions as the law requires in such cases.

And then he will report his action to the court and this cause is continued.

E. H. Pennington
vs
Jesse Hall
Minerva Lowe

Entered Ord Book 2 page 203 Sept 2 1889
J. A. Wright C.C.

Entered this day
Sept 2nd 1889.

Known all men by these presents that we E. W. Pennington and A. M. Goins are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of [redacted] hundred dollars ($100) for which payment well and truly to be made unto the Commonwealth aforesaid, we bind ourselves and each of us and our hirs &c., jointly and severally firmly by these presents. And as to this debt we hereby waive the benefit of the Homestead law and also any right to discharge this obligation in the coupons of this State. Witness our hands and seals, this the 9th day of Sept., 1889.

The Condition of the above obligation is such that whereas the said E. W. Pennington was by a decree entered in the Chancery Cause of E. W. Pennington vs Minerva Goins on the 2nd day of Sept., 1889 appointed a special commissioner and therein directed to sell certain lands of the said Minerva mentioned in the bill of the Complt. Now should the said E. W. Pennington faithfully perform the duties assigned him in said decree and properly account for all moneys he may receive as such comr., then this obligation to be void, otherwise to remain in full force & effect.

E. W. Pennington (Seal)
A. M. Goins. (Seal)

E. W. Pennington

vs } Dams - Bond

Minnow Dams

Filed Sept 9th 1889

J. H. Lafferty

C

SALE OF LAND.

VIRGINIA, Lee County Circuit Court:

E. W. Pennington Plaintiff,

vs In Chancery.

Minerva J. Lewis et als Defendants

Pursuant to a decree rendered in this cause at the Sept *term, 1887 the undersigned Commissioner will proceed to sell at the front door of the Courthouse of said County, on the first day of the* Oct *term 1887 of the County Court of said county, to the highest bidder on a credit of* three months the land in the bill & proceedings mentioned it being the land on which the said Minerva now lives

except so much as may be necessary to pay the costs of suit and expense of sale will be required to be paid in hand, and for the remainder, bonds with good security will be required of the purchaser bearing interest from day of sale.

E. W. Pennington COMMISSIONER.

The bond required by law has been given.

J. A. Stafford Clerk.

Prin of debt	$18.25
Int on same to Oct 8/87	2.45
costs at law	1.25
costs in this suit	25.41
	$47.36

To the Hon. H. L. Morison Judge
of the Circuit Court for Lee County

Your undersigned Comr.
begs leave to report that in obe-
dience to a decree entered in
~~the~~ Chancery Cause of E. H. Pen-
nington vs. Minerva J. Samson
the 2nd of Sept. 1889., after posting
advertisements of the time, terms
and place of the sale of the land
in bill mentioned, as said de-
cree directed, on the day of
Oct. 1889, that being the 1st
day of ~~the~~ County Court for
Lee County, he offered said
land at the front door of the
Court-house of Lee County for
sale to the highest bidder.
And thereupon Wm. R. Snively
became the best and highest
bidder and so said lands
were knocked down to him
for $67.00. The said me in
advance ~~the~~ cost of this suit
and my comm. which amounted
to $28.76. and executed his note
with M. L. Slunk and A. M. Ely
as his sureties for $38.24, the
balance on three months time.
and bearing interest from date
of sale. Your Comr. is informe-
d by people who are acquaint-

ed with said land that said price is all said land is worth, so he recommends the confirmation of said sale. All of which is respectfully submitted.

E. H. Cunningham
Comr.

E. H. Cunningham
vs
Comrs. report
Sale of
Land

Minnie Lane

Filed Nov. 11th 1889.
J. A. L. Hyatt Clerk

E. W. Pennington Complt.
vs.
Minerva J. Sams Deft } In Chancery.

Your undersigned Comr. begs leave to report that on the 3rd day of Dec., 1889, he was appointed a comr. to convey title to W. R. Snively to the tract of land mentioned in the proceedings of said cause, that on the 3rd day of Jan., 1890 he proceeded to execute the duties imposed upon him by said decretal order and has made the deed required of him, which is here filed. He advises the confirmation and delivery of the same to said Snively. All of which is respectfully submitted this Jan. 3rd 1890.

E. W. Pennington Comr.

Amt. of sale of said land		$67.00
less by total costs	$31.25	
by Amt. of debts & Int.	21.30	
by Amt. paid Deft.	14.45	67.00
		00

Rec'd of E. W. Pennington Comr. in the above styled cause Eight & 50/100 my costs in said cause. This 1st 1890

J. A. S. Hyatt C

Rec'd of E. W. Pennington one dollar & fifty cents my costs for executing writ of possession against said Deft. This 1st 1890.

A. B. Murray S. L. C

Atty fee $15.00 Com on $67.00 $3.35

E. K. Pennington

vs } Camo report for Dec.

Minnam Camo

Filed Jan 3rd 1893.

J. A. L. Hyatt C

Mr. Alf Muncy. you will
Please pay to Nuten Wygal. the amt
Due me from the Sale of my Land
Sold by E. W. Penington this the 21st
of Feb. 1890.

Manerva her mark J. Sams.

FROM

LEWIS DEMPSEY

DEALERS IN

Dry Goods and Family

GENERAL MERCHANDISE, &c

Inez, Ky.

Printed with your business

250—$1.50 500—$2.00

Please send
3 order-
to G. B. Mincy

$14 45

Received of A. B. Murray fourteen dollars and forty five cents on order from Minerva Saves for Balance on the race of Lord By E. N. Pennington July 21st 1890 –

Newton Wyatt

Stanton Wygal
To } Receipt
A. B. Murray } $14.40

VIRGINIA---Lee County, to wit:

TO S. H. Bolin Constable of said County:

I Hereby Command You to Summon Minerva J. & Dow Jones *if to be found in your District, to appear at* my office, in said County, on the 3d day of March 1886, before me or such other Justice of said County as may then be there, to try this Warrant: to answer the complaint of E. W. Pennington and upon a claim for money not exceeding $100.00, exclusive of interest, to wit: for the sum of $18.25, due by note. And then and there make return of this Warrant. Given under my hand the 18th day of Feby, 1886

H. C. Joslyn, J. P.

E. W. Pennington

Against

Minerva J. Jones & Dow Jones,

On the 3d day of March, 1886,

In Debt.

At Jonesville, in said County.

JUDGMENT, That the Plaintiff recover of the Defendant, $18.25, with interest thereon from the 1st day of July, 1887, till paid, and $1.00 for costs.

H. C. Joslyn, J. P.

VIRGINIA--Lee County, to wit:

TO S. H. Bolen, CONSTABLE OF SAID COUNTY:

I COMMAND YOU, in the name of the Commonwealth of Virginia, that of the goods and chattels of Minerva J. Jones & Dow Jones, in your County, you cause to be made the sum of $18.25 with interest thereon from the 1st day of July, 1887, till paid which E. W. Pennington has recovered before me in a Warrant in Debt, and also the sum of $1.00, which were adjudged to said E. W. Pennington for costs in prosecuting said Warrant. Given under my hand 3d day of March, 1886.

H. C. Joslyn, J. P.

"A."

E. W. Pennington

vs } Warrant -

Minnie J. & Dan Sams

Executed Feb 24/1888
S. H. B. Allen C. F. C.

Filed & Docketed
March 6th 1888
J. R. Gibson Clk.

Costs 1.00

Fee - for notice - collect. for property found & W. B. Lee E. P. C.

The Commonwealth of Virginia.

To the Sheriff of Lee County Greeting:-

We command you that you cause W. R. Snavely the purchaser of the 25 acre tract of land sold in the Chancery Cause of E. T. Pennington vs Minerva Sang. lately decreed him, by a decree entered in said cause Dec. 3rd 1859 by the circuit court for Lee County to have free use and possession thereof, and the same is bounded as follows. Beginning at a cedar and two post oaks thence S 3° W 20 poles to three cedars S 45° W 22 poles to a post oak, South 22 poles to a cedar and post oak, S 80° W 20 poles to a cedar N 55° W 32 poles to a post oak, S 80° W 40 poles to a hickory & post oak N 15° W 20 poles to a post oak and cedar. N 72° E 14 poles to a post oak N 53° E 85 poles to pointers and thence S 45° E 30 poles to the Beginning

And said Sheriff will make proper return thereof, witness J. A. Hyatt Clerk of our said Court at the Court house

Wm. R. Snoveley
vs
United States

Minerva Daniel
Filed February Rules 1890.

248

~~Not Executed — This Writ
dated Feb 18 91
C. H. Simmons S.
S. for A. B. Murray
S. L. C~~

Executed by delivering possession to W. R. Snoveley
A B Murray
S. L. C

Received on this 3rd day of December 1890
in the Defendant's Possession in the
Case of the Plaintiff Commencement
Costs $ & Expenses $ Charge

To Minerva Sams:

You will remember on the 3rd day of March, 1888, I obtained a judgement against you & Dow Sams before S. C. Joslyn a justice for Lee County, Ill. for $18.25 with interest thereon from the 1st day of July, 1887 till paid, and $1.00 costs. Every jugement obtained against a party in this State is a lien upon his lands. So you are hereby notified that if said judgement, interest & costs be not paid within 60 days from the time you receive this notice, I will institute a suit against you for the purpose of enforcing my lien against your real estate.

This May, 24th 1889.

E. W. Pennington

"D"

E. W. Pennington

vs } Notice

Minerva Sams

Executed by delivering an office copy of the within to Minerva Sams. June 11th 1869

E. S. Bishop Sh

for R. D. Flanary

S. L. C.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon Minerva Sauer and Dora Sauer

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in August next, being rule day to answer a bill in Chancery exhibited in our said Court against them by E. W. Pennington

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This 25th day of July 1889, in the 114 year of the Commonwealth.

J. A. G. Hyatt *Clerk.*

A Copy Teste

E.W.P.

E. W. Pennington

vs

Spurlock

Minerva Dinsmore

To 1st Aug. Rules 1889.

Executed by delivering an office copy of the within writ to Minerva Dinsmore this 28th 1889

A B Mundy S.L.C.

Recd of E. W. Pennington Eighty cents my fees in this case

A B Mundy

By W. Dunton

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon Minerva Davis and Dow Davis

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in August next, being rule day to answer a bill in Chancery exhibited in our said Court against them by E. N. Pennington

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This 25 day of July 1887, in the 111 year of the Commonwealth.

J. A. G. Hyatt *Clerk.*

A Copy Teste J. A. G. Hyatt

Far

Dow. Saunt.

Not executed not found This July 29th 1859. A B Mulvey S.L.C.